

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TRICKLE SOFTWARE, INC.,
a Michigan corporation,

Plaintiff,

vs.

BAYAN ROBERT RASOOLY,
an individual,

Defendant.

Case No. 24-cv-12141
Hon. Judith E. Levy
Mag. Elizabeth A. Stafford

**TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE AS TO
WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

Before the Court is Plaintiff Trickle Software, Inc.'s emergency motion for a temporary restraining order and for an order to show cause why a preliminary injunction should not be issued pursuant to Fed. R. Civ. P. 65. (ECF No. 5.) The Court having considered the motion, brief in support, and exhibits thereto, including the declaration of Nicholas Shaba (ECF No. 5-2) and declaration of Kenneth F. Neuman (ECF No. 5-5), and the Court having conducted and received oral argument on August 16, 2024 from Plaintiff's counsel, and otherwise being fully advised in the premises:

In addition to the oral rulings made by the Court during the August 16, 2024 hearing, the Court finds that Plaintiff has demonstrated that it will suffer

immediate and irreparable injury, loss or damage through the disclosure and/or misappropriation of Plaintiff's confidential and trade secret information concerning Trickle Software and Trickle Bot if the Court does not enter a temporary restraining order without notice as requested by Plaintiff in its motion. The Court issues this order without notice and in accordance with Fed. R. Civ. P. 65(b)(1) for the reasons stated in the declarations of Nicholas Shaba and Kenneth F. Neuman and based on its finding that notice would likely precipitate further loss or disclosure of Plaintiff's confidential and trade secret information concerning Trickle Software and Trickle Bot.

IT IS HEREBY ORDERED that:

1. Plaintiff's emergency motion for a temporary restraining order and for an order to show cause why a preliminary injunction should not be issued pursuant to Fed. R. Civ. P. 65 (ECF No. 5) is GRANTED.

2. Defendant Bayan Robert Rasooly, and any of his agents, servants, employees, attorneys, partners, successors, assigns, subsidiaries, or any other persons or companies through which he acts, or who act in active concert or participation with him, who receive actual notice of this Order by personal service or otherwise, whether acting directly or through any trust, corporation, subsidiary, division or other device, or any of them (collectively, the "Enjoined Parties"), are hereby TEMPORARILY RESTRAINED AND ENJOINED from:

- a. Using, disclosing, transferring, deleting, and/or altering Trickle Software or Trickle Bot;
- b. Using, disclosing, transferring, deleting, and/or altering any code or information concerning Trickle Software or Trickle Bot; and/or
- c. Downloading, uploading, publishing, or otherwise making Trickle Software or Trickle Bot, or any related code or information, available on any online, web-based, or application-based platform or store.

3. Defendant must show cause in writing by **Friday, August 23, 2024 at 5:00 p.m.** why a preliminary injunction should not be issued. Plaintiff may file a reply no later than **Monday, August 26, 2024 at 5:00 p.m.**

4. The parties must appear before this Court on **August 27, 2024 at 2:00 p.m.**, at 200 E. Liberty Street, Suite 300, Courtroom 100, Ann Arbor, Michigan 48104 for a hearing to show cause why a preliminary injunction should not be issued.

5. This order expires on **Friday, August 30, 2024**, unless within that time, for good cause shown and/or in the discretion of the Court, this order is extended for a stated time period or unless Defendant consents that this order may be extended for a longer period.

6. Defendant and the Enjoined Parties are hereby on notice that failure to timely serve and file an opposition, or failure to appear at the hearing, may result in the imposition of a preliminary injunction against them pursuant to Rule 65 of the Federal Rules of Civil Procedure.

7. In accordance with Fed. R. Civ. P. 65(c), Plaintiff must post a bond of Ten Thousand Dollars (\$10,000.00) with the Court.

IT IS SO ORDERED.

Dated: August 16, 2024
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 16, 2024.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager